

MAYOR MARY ANN COURVILLE  
VICE MAYOR GIL VEGA  
COUNCILMEMBER LOREN FERRERO



COUNCILMEMBER YVONNE McCLUSKEY  
COUNCILMEMBER JILL ORR  
CITY TREASURER DAVID DINGMAN

November 1, 2004

The Honorable Peter B. Foor, Presiding Judge  
Solano County Superior Court  
C/o Superior Court Executive Officers/Clerk of the Court  
Hall of Justice  
600 Union Ave.  
Fairfield, CA 94533

RE: Response of the Dixon City Council to the 2003-2004 Solano County  
Grand Jury Final Report

Dear Judge Foor:

On behalf of the City Council of the City of Dixon and with its prior approval, I hereby submit to you the responses of the City Council to the findings and recommendations contained in the above noted final report of the 2003-2004 Solano County Grand Jury as set forth below:

**Investigation: County and City Budget Review**

**Finding #1:**

“The City of Dixon General Fund contingency for FY 2003-04 is set at \$1.6 million, which amounts to 15% of operating expense.”

**Response to Finding #1:**

The City of Dixon agrees with this finding.

**Recommendation #1:**

“This solid reserve should be maintained.”

**Response to Recommendation #1:**

The City of Dixon has implemented this recommendation.

City of Dixon

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**Finding #2:**

“The 15% reserve, which has been met for the past five years, is set each year by City Council resolution. No ordinance or official policy exists calling for a specific goal.”

**Response to Finding #2:**

The City of Dixon agrees with this finding.

**Recommendation #2:**

“The reserve should be set by a City Council ordinance which would assure that the public would be alerted if a deviation should be recommended in a future budget.”

**Response to Recommendation #2:**

The City of Dixon has carefully considered this recommendation and will not be implementing the recommendation. Each year during the General Fund Budget Workshops, a discussion of the General Fund Contingency is scheduled and occurs. During that discussion members of the public are invited to comment on the amount of the Contingency. As a result, the Contingency is reviewed in light of the most current economic and financial information available.

After direction is given by the City Council as to the size of the Contingency, the amount is formalized in the annual resolution adopting the General Fund Budget. The resolution is adopted in an open City Council meeting, generally the last meeting in June before the beginning of the new fiscal year. This process affords at least three opportunities for further discussion both among the members of the City Council and with interested members of the public. No additional public review would occur were the reserve to be set by ordinance.

As a result, the City of Dixon feels that adequate opportunity is given for public comment about its Contingency Reserve, that a change to the percentage of Contingency Reserve would receive appropriate public scrutiny, and that adoption by ordinance would not receive public scrutiny.

Further, setting the contingency by ordinance would make it difficult to change in the case of an urgent need, thereby defeating the very purpose of the contingency reserve.

**Finding #3:**

“Dixon prepares its budgets on an annual rather than a multi-year basis.”

**Response to Finding #3:**

The City of Dixon agrees with this finding.

### **Recommendation #3:**

“The Grand Jury recommends that a multi-year financial plan be prepared based on developing facts, statistics and trends. The plan should be continuously updated as new information becomes available.”

### **Response to Recommendation #3:**

The City of Dixon is already implementing this recommendation.

Multi-year financial planning has become a crucial part of the City’s annual budget-making process. The City’s General Fund Budget, under which resources are allocated for the majority of the essential services provided to the community by the City, consists of three basic components; salaries and benefits for employees comprise of approximately two-thirds of the annual budget; the operational materials and supplies comprise approximately one-third of the annual budget; and the equipment replacement designation/capital acquisitions, typically represents about one to three percent of the annual budget. Discussed in reverse order of the above listing, the City’s efforts with respect to a long-term financial planning are as follows:

#### Equipment Replacement Designation/Capital Acquisition

The City Maintains an equipment replacement designation (sinking fund) which includes all the City’s capital equipment, such as vehicles, computers, and furnishings, valued at \$1,000 or more. Every piece of capital equipment has an estimated life expectancy (amortization period), in some cases ranging up to twenty-five years, as for a fire truck. Each year the City sets aside money in the Equipment Replacement Designation Fund for the eventual replacement of each piece of equipment. In the case of that fire truck, 1/25<sup>th</sup> of the replacement cost is set aside each year, such that at the end of the life cycle of that piece of equipment, resources are available for its replacement. Most of the resources which are expended on an annual basis for capital acquisition flow back to the General Fund from this Equipment Designation Fund.

#### Operations, Materials and Supplies

Materials and supplies used for General Fund operations tend to be very predictable on an annual basis. They change, typically, only in response to inflation or the predictable addition of new programs or facilities operated by the City. Planning for future change in this segment of the budget is relatively straight-forward. This segment of the budget is, by the way, most capable of sustaining expenditure reductions to address any short-term, modest budget reductions.

#### Salaries and Benefits

Personnel costs comprise the largest segment of the City’s budget since it is people who provide the labor intensive services for our community such as: public safety,

maintenance, administration, development services and recreation. In fiscal year 2003-2004, the City undertook the first in an on-going series of department-by-department strategic planning exercises designed to evaluate the operations and staffing needs for each department for at least the coming five years. In fiscal year 2004-2005 two additional departments will be so evaluated. In this fashion, the City has initiated a rolling, long-term, planning process for each functional area, the result of which will be utilized in the annual budget making process. Services, service approaches, and personnel will comprise center-piece discussions in these departmental reviews.

#### Revenues

Three revenue components constitute the bulk of the City's annual General Fund budget; property taxes, sales/use taxes, permits/fees. Each year, as the annual budget is prepared, historic revenue trends are reviewed and projections made for each of these areas, based on the most current information. It has been with the State's "draconian" manipulation of local revenues that predictability has become more difficult. This, of course, is exasperated by the political brinksmanship which characterizes the State budget process, producing demands for revenue sharing which local governments must react to, generally after they have set their annual budget in place. Generally, local governments, such as Dixon, have, however, shown great fiscal resiliency in dealing with this uncertainty.

#### **Finding #4:**

"Dixon has a five-year capital improvement program which, together with funding, is updated annually."

#### **Response to Finding #4:**

The City of Dixon agrees with this finding.

#### **Recommendation #4:**

"Insure that on-going maintenance costs to support and maintain capital improvements are included in future operating budget forecasts."

#### **Response to Recommendation #4:**

The City of Dixon has implemented this recommendation.

#### **Finding #5:**

"Notwithstanding significant cuts in State support, Dixon officials report no cuts in basic services. Officials credit this successful outcome to a conservative spending mindset reinforced by a rigorous process which screens out all uncertain income from the budgeting process."

**Response to Finding #5:**

The City of Dixon agrees with this finding.

**Recommendation #5:**

“Continue this successful defensive budget philosophy.”

**Response to Recommendation #5:**

The City of Dixon has implemented this recommendation.

**Investigation: Detention/Holding Facilities**

“The California Penal Code 919(b) mandates that the Grand Jury inquire into the conduct and management of public prisons within the County.”

**Finding 1:**

“Police facility is considered a temporary holding facility, not holding cells, because staffing levels are not adequate to qualify for standard holding procedures. The facility is clean and appears safe.”

**Response to Finding 1:**

The City partially disagrees with this finding. While the City agrees with the finding the Police Facility is considered a temporary holding facility, and that the facility is clean and safe, we disagree with the finding that we do not have holding cells and staffing levels are not adequate to qualify for standard holding procedures.

The California State Board of Corrections, and the California Code of Regulations, Title 15 & 24, is the authority for defining law enforcement detention facilities. Per their code and definitions, law enforcement facilities may only contain a Type I Jail or Temporary Holding Facility. A Type I Jail is defined as a local detention facility used for the detention of persons for not more than 96 hours, persons on court order either for their own safekeeping, or sentenced to a city jail as an inmate worker. A temporary holding facility is defined as a facility constructed after January 1, 1978, and used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court. The Dixon Police Department maintains a Temporary Holding Facility, which does include three holding cells for prisoners that allows for the holding of up to six (6) subjects for up to 24 hours. Current staffing levels are sufficient to hold subjects until release, or transfer to Solano County Jail.

**Recommendation 1:**

“Review the need for holding cells in light of projected population growth.”

**Response to Recommendation 1:**

This recommendation has been implemented. The City maintains a Capital Improvement Program which anticipates needs for expanded public facilities. The City finds that expansion is unwarranted at this time. The Police Department maintains a Temporary Holding Facility, which does include three holding cells, and, given usage experience, meets the needs of the City for the current and projected population growth.

**Investigation: Americans with Disabilities Acts Compliance**

Although not a finding or recommendation specifically addressed to the City of Dixon, the Grand Jury Report comments under the category Americans with Disabilities Acts Compliance, that “Cities, special districts, and school districts located in Solano County should review all their facilities to make certain that they meet ADA standards. Future Solano County Grand Juries, beginning with 2004-2005, should conduct ADA reviews of these facilities.”

The City of Dixon reviewed its facilities and programs and completed its ADA transition plan in 1999. That plan identified numerous improvements and modifications which needed to be implemented to bring the City facilities and programs into compliance with the ADA. At that time the City also identified the City’s Chief Building Official as the ADA Compliance Coordinator. Although the City, prior to 1999, had taken a number of steps with regard to improvements and modifications to meet ADA needs; it has, since 1999, taken a more aggressive posture with respect to implementation of needed improvement to public buildings, parks, playgrounds, restrooms, and parking lots. In 2004, prior to the receipt of the Grand Jury Report, the City Council reaffirmed its priority for compliance with the ADA by identifying ADA as a top goal during its annual goal setting process. The City has recently surveyed all nine-hundred of its street locations which have or need ADA ramps. The City Council will, in the next sixty-days, provide direction for an aggressive program to update, replace or install ramps at these locations. The City of Dixon continues to be mindful of the necessity to comply with ADA requirements to meet the needs of citizens with disabilities. This priority is, however, considered in context with provision of all the other essential services which the City provides such as public safety, recreation, administration and maintenance.

**Investigation: Emergency Services County and Cities of Solano**

“This year’s Grand Jury elected to review the Emergency Operating Centers and Procedures of agencies within Solano County and how Homeland Security mandates have been incorporated into Emergency Operating Plans.”

Eleven findings and recommendations were made by the Grand Jury under this section of Emergency Services. Unfortunately, the Grand Jury's Report is not clear as to which agencies are expected to respond to various portions of the report. The City of Dixon has reviewed and acknowledges the investigation and in its response to these findings and recommendations it will limit its responses to those matters under the control and area of responsibility of the City of Dixon.

#### **Finding 1:**

"There is an Emergency Operating Plan for the County and each city. However, the plans vary and there seems to be no consistency among the county and cities regarding the training relating to Emergency Operating Procedures and new mandates from U.S. Department of Homeland Security."

#### **Response to Finding 1:**

The City partially disagrees with this finding. The City Emergency Operating Plan was revised in May 2004 and is compliant with the state Standard Emergency Management System (SEMS). In addition, this plan is consistent with the County plan and with new mandates from the U.S. Department of Homeland Security.

The City expresses no view as to whether the County and other cities have training in procedures or have plans consistent with the requirements of the US Department of Homeland Security.

#### **Recommendation 1:**

"To ensure that each agency is in compliance with California and U.S. emergency requirements, one agency should take the lead to insure that the appropriate training, exercises and guidelines are established and implemented. Due to the fact that the County has a dedicated employee for Emergency Services, it is logical that the County Office of Emergency Services takes the lead in this endeavor. Currently, agencies meet to discuss response and mutual aid. It is recommended that the review of agency operational plans and procedures be presented at these meetings to ensure each agency is within State and U.S. standards."

#### **Response to Recommendation 1:**

This recommendation is not addressed to the City of Dixon, which has no authority to require that the County of Solano implement it. The City notes that the City plan is already in compliance with California and U.S. emergency requirements.

#### **Finding 2:**

"Within some agencies, there seems to be confusion about who would activate the EOC and who has authority to make appropriate and crucial decisions relating to the necessary response, material, supplies and the request for mutual aid."

### **Response to Finding 2:**

In the case of the City of Dixon, we disagree with this finding in that there is no confusion in Dixon. The City of Dixon Emergency Operations Plan clearly outlines the authority to activate the center. Those authorized to activate the EOC are the City Manager, Police Chief, Fire Chief, and Public Works Director. Who activates it, depends on the nature of the emergency. The procedures for Emergency Operation Center activation are to initiate the “Emergency Operations Center Call-Back” by contacting the Police/Fire Communications Center. The City of Dixon is unaware of the status of this recommendation in other agencies.

### **Recommendation 2:**

“The County Administrator (CAO) and each City Manager should review and define their respective emergency administrative roles and clearly communicate these responsibilities to members of the EOC team.”

### **Response to Recommendation 2:**

This recommendation has been implemented insofar as it relates to the City of Dixon. The City Emergency Operations Plan documents and clarifies the Cities role in disaster management and emergency response. We recognize three levels of response that correspond to the State of California Office of Emergency Services guidelines. All city department heads, including the City Manager are familiar with this plan. The City of Dixon is unaware of the status of this recommendation in other agencies.

### **Finding 3:**

“If an emergency incident should escalate beyond the agency’s capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency’s communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.”

### **Response to Finding 3:**

While not addressed specifically to the City of Dixon, the City disagrees partially with the finding; as there have been steps taken to further address the radio and data interoperability issue since the report was published. A Memorandum of Understanding (MOU) has been executed to form the Joint Solano Communications Activities (SECA), where the entities within Solano County agreed to work on implementing the interoperability needs assessment submitted by RCC Consultants. The recommendation to develop a grant application to support the efforts of SECA will occur as the committee analyzes and recommends the appropriate technology to the County for implementation.



**Recommendation 3:**

“The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the County-wide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all the agencies in Solano County.”

**Response to Recommendation 3:**

This recommendation has been implemented. The Solano County Office of Emergency Services has just received approval for the FY04 Homeland Security Grant that has funding of \$1,060,000 that will be dedicated to radio interoperability for Solano County. Hopefully this will be a start the process that will eventually alleviate Solano County’s communication problems.

**Finding 4:**

“Dixon, Rio Vista and Benicia do not have hospital facilities and those that exist in Solano County have inadequate beds to accommodate a major incident. There is no trauma center or decontamination facility in the entire County. A system call Reddinet links all medical facilities in the County with the County EOC, and provides an instant count of available beds and facilities. Currently, medical facilities located in Solano County depend on trauma centers located in Contra Costa and Napa Counties. In a major event, most likely, these facilities would not be available. The escalating growth of Solano County necessitates the exploration of facilities to provide for the safety of its residents.”

**Response to Finding 4:**

The City of Dixon agrees with the finding.

**Recommendation 4:**

“The Solano County Board of Supervisors review this issue and make it part of Solano County’s future planning goals no later than 2005-2006. Solano County funding should include continuance of the Reddinet service.”

**Response to Recommendation 4:**

The City of Dixon notes this recommendation which is addressed to another agency.

**Finding 5: N/A**

**Recommendation 5: N/A**

**Finding 6: N/A**

**Recommendation 6: N/A**

**Finding 7:**

“Some of the agencies do not have dedicated space for a local EOC. In some cases the area is being used for other purposes and must be transformed in an emergency, which may in turn, hamper the response time.”

**Response to Finding 7:**

The City of Dixon agrees with this finding with respect to the City of Dixon.

**Recommendation 7:**

“Every effort should be made to provide dedicated space for an EOC. If space is unavailable, a dedicated area should consist of all necessary equipment and supplies to transform the area as soon as possible. Each local EOC needs to have back up power.”

**Response to Recommendation 7:**

The recommendation has been implemented. The City does not have a building or space dedicated exclusively for an Emergency Operations Center. However, the training room at the Dixon Fire Department was designed to collaterally serve as an EOC. It can quickly be transformed into the City Emergency Operation Center. Telecommunications cabling allows for multiple phone lines, computers, overhead projection capabilities, multiple television monitors, and emergency back up power. Emergency supplies and resources are available at the Fire Department, the City’s newest municipal building.

**Finding 8:**

“Solano County has an automatic phone warning system for the entire County. Residents of an affected area can be warned by an automatic phone call with recorded instructions as to the situation. Local radio stations and television are also used to inform the public.”

**Response to Finding 8:**

The City of Dixon agrees with this finding.

**Recommendation 8**

“Agencies which have this valuable service should publicize this to their citizens.”

**Response to Recommendation 8:**

This recommendation has not yet been implemented in the City of Dixon, but will be implemented in the next six-months.

**Finding 9: N/A****Recommendation 9: N/A****Finding 10:**

“A Solano County Multi-Agency Disaster Drill took place on November 13, 2003. The purpose was to test and train the appropriate personnel of law enforcement, fire service, emergency medical services, County Office of Emergency Services, Solano County Emergency Medical Services Agencies and the Public Health Department to respond to a terrorist event involving mass casualties and significant destruction or the potential thereof. This was the first such drill in Solano County. The drill revealed an overall lack of communication and leadership. Objectives of the drill were only partially achieved or not achieved at all. The results of this drill emphasize the need for a central authority to coordinate a disaster event that involves mutual aid.”

**Response to Finding 10:**

The City of Dixon agrees with this finding.

**Recommendation 10:**

“The County Administrative Office should take the lead and determine the necessary action to resolve the non-achieved objectives of this exercise.”

**Response to Recommendation 10:**

The City of Dixon notes this recommendation, which has been addressed to another agency.

**Finding 11:**

“Agencies tend to be territorial and focus on their own needs when planning for community services which may create obstacles when trying to develop mutual aid throughout the County that will benefit all citizens in a time of crisis. The terrorist actions of September 11, 2001 created a need for reassessment of the procedures to safeguard our population. The formation of the U.S. Department of Homeland Security brought together 42 agencies under one department requiring a major coordination effort, not only the U.S. Department of Homeland Security but

with states, counties and cities so that information and responses can occur both up and down the organizational chart.”

**Response to Finding 11:**

The City of Dixon agrees with this finding.

**Recommendation 11:**

“Elected County officials, county administrators and City Managers need to reassess the methods by which Emergency Operating Systems are developed and implemented to break down territorial lines and to ensure that the emergency service needs are being met. Just as many Federal government departments were combined under U.S. Department of Homeland Security to establish the most efficient and effective way to respond to various incidents, so should state, counties and cities review existing emergency response structures. To make this happen, elected officials should take the initial step to form a County-wide committee that would include representatives from the State Senate and Assembly offices, County Board of Supervisors and City Councils. At this level, an assessment of County needs should take place and appropriate direction given to responsible County and City staff to develop a seamless Emergency Operating Plan throughout the County.”

**Response to Recommendation 11:**

This recommendation has not yet been implemented. The City of Dixon notes that no one entity has been directed to take the lead in this recommendation. This issue will be discussed with the City Elected Officials in the future.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Ann Courville".

Mary Ann Courville  
Mayor

CC: City Council  
Solano County Administrator  
Clerk of the Board, Solano County  
File